

**RULES  
OF THE  
GEORGIA TREATED TIMBER  
PRODUCTS ACT**



**GEORGIA DEPARTMENT OF AGRICULTURE**

**THOMAS T. IRVIN**  
Commissioner

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-1  
DEFINITIONS

TABLE OF CONTENTS

40-22-1-.01 Definitions

**40-22-1-.01 Definitions**

- (1) "Act" means the Georgia Treated Timber Products Act of 1973.
- (2) "Brand" means an identification mark assigned to a processor or dealer and used to mark each treated pole, post or piling, timber or other timber product.
- (3) "Dealer" means any person, firm or corporation who ships into or brings into this State, for sale, any treated timber or timber product treated outside the State.
- (4) "Guaranteed Average Retention" means the retention specified in the appropriate AWP Standard determined from assay of cores representatively taken from throughout the lot. From time to time the Commissioner will establish, subject to hearing, allowances for normal depletion of preservatives from commodities sampled and tested after transport from the treating plant.
- (5) "Lot" means a retort charge for inspection at processing plants. In all other cases it will be that material available at time and place of inspection consisting of a single commodity of a single species, from a single treater, and a single preservative treatment. For the purpose of enforcement, a lot for testing will not include treated timber or timber products which have been installed for use or which have been altered after initial treatment by cutting, sawing or similar modification.
- (6) "Lumber" means sawn wood less than five (5) inches in actual thickness.

(7) "Preservative" means any chemical used in treating wood to retard or prevent deterioration or destruction caused by the action of insects, fungi or bacteria.

(8) "Processor" means any person who treats timber or timber products with preservatives within the State of Georgia.

(9) "Timber" means sawn wood of five (5) inches or more actual thickness.

(10) "Treated Wood" means wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria, or other wood destroying organisms.

(11) "Treater" means any person within the State or outside of the State who treats timber or timber products subject to the provisions of this Act for distribution in the State.

Authority Ga. L. 1973, p. 1418. Administrative History. Original Rule was filed on September 5, 1975; effective September 25, 1975.

RULES OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-2  
LICENSING REQUIREMENTS

TABLE OF CONTENTS

40-22-2-.01   Licensing Requirements

**40-22-2-.01   Licensing Requirements**

Both Processor's and Dealer's Licenses will be renewable July 1, each year. Application forms shall be available from the Commissioner's Office. Renewal forms shall be mailed to all licensees on record at least 30 days prior to the expiration of the current licensing period. Forms shall contain information pertinent to applicant's operation, including, but not limited to:

(a) Processor's License.

1. Name and primary business address of applicant.
2. Address of all treating operations within the State of Georgia, and all treating locations outside the State from which treated timber or timber products will be shipped into Georgia.
3. Types of timber or timber products treated at each location, treatment employed, preservative used and guaranteed average retention per cubic foot.
4. Proposed brand to be used on each product.

(b) Dealer's License.

1. Name and primary business address of applicant.
2. Name and address of all Treaters whose treated timber or timber products are to be distributed in Georgia.
3. Types of timber or timber products treated at each location, the treatment employed, preservative used and the guaranteed average retention per cubic foot.
4. Proposed brand to be used on each product.

5. Attorney-In-Fact.

(c) Exemption.

1. No person shall be required to obtain a dealers license if he ships into or brings into Georgia only those products which have been treated by another licensee and are properly identified by said licensee's brand or mark.

Authority Ga. L. 1973, p. 1418. Administrative History. Original Rule was filed on September 5, 1975; effective September 25, 1975.

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-3  
STANDARDS FOR PRESERVATIVES

TABLE OF CONTENTS

40-22-3-.01	Standards for Preservatives
40-22-3-.02	Prohibited Preservatives

**40-22-3-.01 Standards for Preservatives**

All preservatives used to treat wood products subject to the Act shall conform to the Preservative “P” Standards of the American Wood-Preservers' Association.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Standards for Preservatives" was filed on September 5, 1975; effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective. May 31, 1993.

**40-22-3-.02 Prohibited Preservatives**

The use of creosote-petroleum solutions as a preservative in treating timber products to be offered for sale is prohibited and any sale of products treated with such solutions is unlawful.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Prohibited Preservatives" was filed on September 5, 1975; effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18,

1977; effective May 8, 1977. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-4  
STANDARDS FOR TREATMENT

TABLE OF CONTENTS

40-22-4-.01 Standards for Treatment

**40-22-4-.01 Standards for Treatment**

Wood treatment subject to the Act shall be accomplished, at a minimum, in compliance with the American Wood-Preservers' Association Standard "T1".

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Standards for Treatment" was tiled on September 5, 1975, effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-5  
STANDARDS FOR RESULTS OF TREATMENT

TABLE OF CONTENTS

- 40-22-5-.01 Standards for Results
- 40-22-5-.02 Certain Products Exempted

**40-22-5-.01 Standards for Results**

Treated wood products subject to the Act shall meet the penetration and retention requirements of the American Wood Preservers' Association Standard "U1" for the applicable product, preservative, species, and end use. Penetration and Retention shall be determined using appropriate methods specified in the applicable AWP standard.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Standards for Results" was filed on September 5, 1975; effective September 25, 1975. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.



RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-6  
IDENTIFICATION OF TREATED TIMBER PRODUCTS

TABLE OF CONTENTS

40-22-6-.01 Identification of treated Timber Products

**40-22-6-.01 Identification of Treated Timber Products**

All treated wood products subject to this act and offered for sale in the State shall be clearly identified with the information specified within this chapter. All identification labels, marks or brands shall be approved and registered by the Commissioner prior to use on treated timber products destined for use or sale in the State.

(a) Treated timber products may be identified using any one of the following methods, provided the one used is clearly legible:

1. Burn Brand;
2. Metal nail or tag;
3. Plastic nail or tag;
4. Ink stamp.

(b) All wood products treated with oil borne or water borne preservatives shall be identified with a mark listed by the American Lumber Standards Committee, or a similar mark approved by the Commissioner, except oil-borne treated wood products of less than two (2) inches actual thickness shall have not less than twenty (20) percent of the pieces in each shipment marked.

1. A "similar mark approved by the Commissioner" shall include:

- identity of the treating plant
- preservative symbol (CCA, etc.)

- exposure application (Ground Contact, etc.)
- preservative retention

Such information shall be legible to the average reader and applied with reasonable permanency.

(c) Any wood product treated with a preservative for any purpose whose treatment otherwise does not conform to the treatment standards of the American Wood Preservers' Association and Georgia Treated Timber Products Act shall have each piece tagged exactly as indicated below:

"This product has been treated with recognized wood preservatives but is not intended nor represented to conform to the retention and/or penetration requirements of the Georgia Treated Timber Products Act nor to be adequately treated for protection against decay or insect attack."
---

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule was filed on September 5, 1975; effective September 25, 1975. Amended: Filed April 18, 1977; effective May 8, 1977. Repealed: New Rule entitled "Identification of Treated Timber Products" adopted. F. May 11, 1993; effective May 31, 1993.

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-7  
SHIPPING DOCUMENTS

TABLE OF CONTENTS

40-22-7-.01 Shipping Documents

**40-22-7-.01 Shipping Documents**

Every shipment of wood products treated with preservative and made from a processor or dealer to any point within the State of Georgia shall be accompanied by a delivery invoice or other shipping document. Such document shall contain, in addition to other information required by the purchaser, sufficient information to properly identify the product and its treatment, including but not limited to:

- the type of treatment
- preservative used
- guaranteed average retention per cubic foot.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule was filed on September 5, 1975; effective September 25, 1975. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-8  
ENFORCEMENT

TABLE OF CONTENTS

40-22-8-.01	Inspection and Sampling
40-22-8-.02	Analysis and Examination of Samples

**40-22-8-.01    Inspection and Sampling**

All inspection and sampling shall be performed only by a regular employee of the Georgia Department of Agriculture or another person designated by the Commissioner to perform these functions. All wood products shall be sampled in accordance with sampling procedures specified in the Standards of the American Wood-Preservers' Association.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Inspection and Sampling" was filed on September 5, 1975; effective September 25, 1975. Amended. Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

#### **40-22-8-.02 Analysis and Examination of Samples**

Examination and analysis of samples shall be made in accordance with standard methods of analysis of the American Wood-Preservers' Association.

Nothing in this chapter shall prohibit the Commissioner from using such other methods of analysis as he may determine to be equivalent to those of the American Wood-Preservers' Association. Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). History. Original Rule entitled "Analysis and Examination of Samples" was filed on September 5, 1975; effective September 25, 1975.

Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. Amended: Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. Repealed: New Rule, same title, adopted. F. May 11, 1993; effective May 31, 1993.

RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-9  
GRADING STANDARDS

TABLE OF CONTENTS

40-22-9-.01	Definitions
40-22-9-.02	Grading Standards
40-22-9-.03	Enforcement

**40-22-9-.01 Definitions.**

"Dimension Lumber" means lumber that is at least two inches in nominal thickness and up to but not including five inches in nominal thickness and two inches or more in width. This includes any:

$2 \times (2, 3, 4, 5, 6, 8, \text{etc.})$

$3 \times (3, 4, 5, 6, 8 \text{ etc.})$

$4 \times (4, 5, 6, 8, \text{etc.})$

It does not include any lumber five inches or more in nominal thickness.

Authority O.C.G.A. Sec. [2-14-120](#). History. Original Rule entitled "Definitions" adopted. F. Jan. 24, 1991; effective. Feb. 13, 1991.

**40-22-9-.02 Grading Standards**

All dimension lumber stamped to designate its grade must be inspected and grade stamped only by an agency currently licensed by the American Lumber Standards Committee, or by an organization participating in a bonafide grade stamping supervisory program administered by any such agency. No grade stamp shall be applied to such dimension lumber other than one

approved for the Agency by the American Lumber Standards Committee.

Authority O.C.G.A. Sec. [2-14-121](#). History. Original Rule entitled "Grading Standards" adopted. F. Jan. 24, 1991; effective Feb. 13, 1991.

#### **40-22-9-.03 Enforcement**

Any dimension lumber which the Commissioner finds being offered for sale in Georgia which bears any grade stamp, other than one which at the time it was affixed was assigned to an inspection agency licensed by the American Lumber Standards Committee, shall be placed under Stop Sale Order by the Commissioner or his agent until such dimension lumber is grade stamped in compliance with Georgia Law. In order for any dimension lumber to be brought into compliance with O.C.G.A. [2-14-121](#), any non-approved grade stamp affixed thereto must be obliterated or otherwise rendered illegible. Such dimension lumber may then be sold as ungraded lumber or may be inspected, graded, and stamped by an inspection agency currently licensed by the American Lumber Standards Committee. No dimension lumber subject to a Stop Sale Order shall be moved or otherwise disposed of without the written consent of the Commissioner of Agriculture.

Authority O.C.G.A. Sec. [2-14-122](#). History. Original Rule entitled "Enforcement" adopted. F. Jan. 24, 1991; effective Feb. 13, 1991.

